

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

IN THE MATTER OF THE INVESTIGATION )  
ON THE COMMISSION'S OWN MOTION, UNDER )  
INDIANA CODE § 8-1-2-72, INTO ANY AND ALL )  
MATTERS RELATING TO THE COMMISSION'S )  
MIRRORING POLICY ARTICULATED IN )  
CAUSE NO. 40785 AND THE EFFECT OF THE )  
FCC'S MAG ORDER ON SUCH POLICY, )  
ACCESS CHARGE REFORM, UNIVERSAL )  
SERVICE REFORM, AND HIGH COST OR )  
UNIVERSAL SERVICE FUNDING )  
MECHANISMS RELATIVE TO TELEPHONE )  
AND TELECOMMUNICATIONS SERVICES )  
WITHIN THE STATE OF INDIANA )

**FILED**

**APR 27 2005**

**INDIANA UTILITY  
REGULATORY COMMISSION**

**CAUSE NO. 42144**

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On April 11, 2005, the Oversight Committee established under this Cause filed a *Notice of Filing of Oversight Committee's Second Report to the Commission, Request for Expedited Technical Conference, and Request for Further Extension of the May 1, 2005 State Universal Fund Implementation Deadline* ("Motion") in this Cause. In its Motion, the Oversight Committee requested that the Commission: a) convene an expedited technical conference; and b) further extend the State Universal Service Fund implementation deadline from May 1, 2005 to September 1, 2005. Along with its Motion, the Oversight Committee submitted a Second Report to the Commission regarding the status of its efforts to fulfill the tasks outlined by the Commission in its March 17, 2004, Final Order in Cause No. 42144.

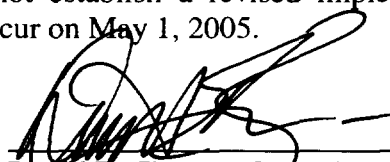
Pursuant to a Docket Entry issued in this Cause on April 15, 2005, an Attorneys' Conference was held in this matter on April 26, 2005 at 10:00 a.m. EST in Conference Center #32 of the Indiana Government Center South, Indianapolis, Indiana. At the Attorneys' Conference, which was attended by Counsel for the parties in this proceeding, Members of the Oversight Committee, and other interested individuals, the Oversight Committee advised the Presiding Officers that the Committee had met several times since the filing of their initial report with the Commission in December 2004, and had developed a Request for Proposal ("RFP") in this Cause. The Oversight Committee requested the Attorneys' Conference to seek guidance from the Commission in identifying the legal entity that should issue the RFP and ultimately enter into a contract with the fund administrator.


The Oversight Committee went on to indicate that it has had extensive discussions with the Indiana Department of Administration in an effort to determine whether the State of Indiana's procurement rules must be followed in selecting the fund administrator (which would require the Commission to execute a "letter of intent" to be a party to the contract with the fund administrator). If the State's procurement rules are not to be followed, then the Oversight Committee (which is not a legal entity) could only issue the RFP and execute a contract if it forms an entity with the requisite legal authority to enter into such contracts. The Oversight Committee advised the Presiding Officers that it does not prefer the second option and therefore requested guidance from the Commission on this issue.

At the conclusion of the Attorneys' Conference the Presiding Officers advised the parties that, as part of their consideration of the issues presented, they would like an opportunity to review the RFP that has been prepared by the Oversight Committee. The Presiding Officers indicated that an electronic version of the document should be submitted to the Presiding Administrative Law Judge and other parties to this Cause, by April 27, 2005. The Presiding Officers also indicated that the Oversight Committee should file two (2) proposed schedules with the Commission by April 29, 2005. The first schedule should include timeframes that reflect the Commissions' willingness to enter into a "letter of intent" with the Indiana Department of Administration. The second schedule should reflect the timeframe necessary for the Oversight Committee to act as its own legal entity in effectuating the work necessary in this matter. Any party that has a concern about either proposed schedule may file a response with the Commission on or before May 4, 2005.

Based on the foregoing, it is apparent to the Presiding Officers that the implementation date in this matter will need to be revised following our review of the RFP; the proposed revised schedules; and, any responses to the proposed schedule. While the Presiding Officers did not establish a revised implementation date at the Attorneys' Conference, it will not occur on May 1, 2005.

**IT IS SO ORDERED:**

  
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David E. Ziegner, Commissioner

  
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Scott R. Storms, Chief Administrative Law Judge

Date: April 27, 2005